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FM AMEMBASSY TOKYO  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6123  
INFO RUEHZJ/HUMAN RIGHTS COUNCIL COLLECTIVE PRIORITY  
RUEHDS/AMEMBASSY ADDIS ABABA PRIORITY 0391  
RUEHJB/AMEMBASSY BUJUMBURA PRIORITY 0135  
RUEHEG/AMEMBASSY CAIRO PRIORITY 0344  
RUEHMO/AMEMBASSY MOSCOW PRIORITY 3013  
RUEHPF/AMEMBASSY PHNOM PENH PRIORITY 0735  
RUEHFK/AMCONSUL FUKUOKA PRIORITY 6412  
RUEHNH/AMCONSUL NAHA PRIORITY 8748  
RUEHOK/AMCONSUL OSAKA KOBE PRIORITY 0227  
RUEHKSO/AMCONSUL SAPPORO PRIORITY 6928  
RHEHAAA/WHITE HOUSE WASHDC PRIORITY  
RUCNDT/USMISSION USUN NEW YORK PRIORITY 7201  
RUEHGV/USMISSION GENEVA PRIORITY 3590

C O N F I D E N T I A L SECTION 01 OF 02 TOKYO 002109

SIPDIS

DEPARTMENT FOR IO/RHS: COLLEEN NEVILLE AND AMY  
OSTERMEIER; DRL/MLGA: LYNN SICADE

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SUBJECT: JAPAN OFFERS COOPERATION FOR CONSENSUS IN THE HRC

REF: STATE 093373

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Classified By: POL M/C Robert Luke per Reasons 1.4 (b, d)

¶1. (C) Embassy political officer delivered reftel demarche to MOFA Human Rights and Humanitarian Affairs Division Deputy Directors Makoto Tanabe, Manabu Murakami, and Seitoku Kawakami, as well as UN Planning Division Deputy Director Kei Kamei. MOFA's reaction to the various elements of reftel follows.

FREEDOM OF EXPRESSION RESOLUTION

¶2. (C) Tanabe, who had participated in the last round of negotiations on the freedom of expression resolution in Geneva, and will play the same role in this round stated, "Whatever the U.S., EU, and OIC countries agree to, we will accept. We are flexible on language." Japan understands and accepts the U.S. position, but also has sympathy for the position of the OIC countries. U.S pre-negotiation with Egypt may be the key, Tanabe observed. Japan can play a role in negotiating with those countries that the U.S. and EU have difficulty reaching out to. Japan has been a traditional co-sponsor for this resolution and can play that role again if consensus language can be found, he added. Tanabe cautioned, "Bringing this issue to a vote without consensus is a mistake."

DISCRIMINATORY LAWS AGAINST WOMEN RESOLUTION

¶3. (C) Kei Kamei said that although she had not discussed the Colombian and Mexican resolution with her leadership she felt, "Most HRC members won't be happy with this resolution." Japan understands the U.S. position that this new mechanism will duplicate neither the work of the Special Rapporteur on Violence Against Women, nor CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women), but "frankly we do not see how this is possible." CEDAW in particular has a very broad mandate, she noted. Japan would suggest instead that the U.S. consider becoming a party to CEDAW, or, if there is some additional mandate that this new mechanism would have which CEDAW does not cover, than CEDAW members should be informed and allowed to make the necessary

modifications. Although Japan has not seen the language of this resolution, there are concerns that it will duplicate these other efforts, and as such, not be in line with our efforts at UN reform and cost reduction, she said.

#### COUNTRY SPECIFIC RESOLUTIONS

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14. (C) Manabu Murakami said Japan would have no objection to the resolutions on Somalia and Burundi. Seitoku Kawakami said Japan had completed its negotiations and coordination with Cambodia and now had moved into the second stage: negotiating with Western countries and members of the HRC. Kawakami said they had just delivered the position paper arrived at with Cambodia to other countries on the evening of September 9, and had received no responses yet. He added, "We expect harsh responses from Germany and the U.K. Our viewpoint is closer to that of France and Australia." Murakami stated, "We feel our negotiations with Cambodia were successful. Last year Cambodia was opposed to an extension of the Special Rapporteur, this year they are not opposed." He concluded by stating Japan now was waiting for comments and wanted to coordinate "words and expressions," believing it might be possible to hammer out differences by including some language that expressed Germany and the U.K's concerns.

#### TRADITIONAL VALUES

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5.(C) Tanabe said Japan shared the U.S. view of the traditional values resolution sponsored by Russia. Like the U.S., Japan feels the term "traditional values" is poorly defined, and goes against the well-established principle of universal values. Kawakami said, "We also worry that this term could be used to justify certain unacceptable practices, such as the suppression of women's rights."

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#### JAPANESE RESOLUTIONS

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16. (C) According to Murakami, in addition to the resolution on "Advisory services and Technical assistance for Cambodia," Japan plans to introduce a resolution on the "Elimination of discrimination against persons affected by leprosy and their family members."

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